

AN ORDINANCE AUTHORIZING THE  
CITY OF FORT WAYNE TO ENTER INTO A SECOND  
SUPPLEMENTAL LOAN AGREEMENT SUPPLEMENTING AND  
AMENDING A PRIOR LOAN AGREEMENT  
ENTERED INTO FOR THE ISSUANCE OF  
\$475,000 ECONOMIC DEVELOPMENT FIRST MORTGAGE  
REVENUE BONDS (CSC REALTY PROJECT)

WHEREAS, by legislation duly adopted on April 27, 1981 (herein called the "Original Bond Legislation") and pursuant to a Loan Agreement entered into between the City of Ft. Wayne, Indiana (the "City") and CSC Realty (the "Company"), the Common Council of the City authorized the issuance of \$375,000 Economic Development First Mortgage Revenue Bonds (CSC Realty Project) (the "Original Bonds"), the proceeds of which were used for the construction and equipping of certain economic development facilities (the "Project") of the Company; and

WHEREAS, Section 9 of the Original Bond Legislation provided that the City would use its best efforts to issue, sell and deliver Additional Bonds on a parity with the Original Bonds upon the written request of the Company; and

WHEREAS, the Company so requested and the City did issue Additional Bonds in the amount of \$100,000 (herein called the "Series 1981 Bonds") for the purpose of completing the construction and equipping of the Project; and

WHEREAS, in order to facilitate the issuance of the Series 1981 Bonds, the City and the Company entered into a Supplemental Loan Agreement amending and supplementing the Loan Agreement, which such Supplemental Loan Agreement and the Loan Agreement are hereinafter referred to collectively as the "Loan Agreement"; and

WHEREAS, the Company has requested an amendment to the Loan Agreement, as supplemented.

NOW THEREFORE, be it ordained by the City of Ft. Wayne, Indiana:

Section 1. The Mayor and City Clerk are authorized and directed to execute, acknowledge and deliver in the name and on behalf of the Issuer, the Second Supplemental Loan Agreement in substantially the form submitted to the Issuer which is hereby approved, with such changes therein not inconsistent with this Ordinance and not substantially adverse to the Issuer as may be permitted and approved by the officers executing the same on behalf of the Issuer. The approval of such changes by said officers, and that such are not substantially adverse to the Issuer, shall be conclusively evidenced by the execution of the First Supplemental Loan Agreement by such officers.

The Mayor and City Clerk are each hereby separately authorized to take any and all actions and to execute such financing statements, assignments, certificates and other instruments that may be necessary or appropriate in the opinion of Peck, Shaffer & Williams, as Bond Counsel, in order to effect the intent of this Ordinance.

The actions of the Mayor or any other officer of the City in doing any and all acts necessary in connection with the passage of this Ordinance are hereby ratified and confirmed.




The proper officers, agent and employees of the City are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary in connection the passage of this Ordinance.

Section 2. All Ordinances or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed.

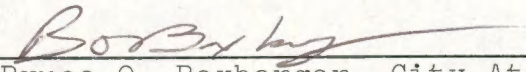
Section 3. It is hereby found and determined that all official actions of this Common Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Common Council, and that all deliberations of this Common Council and of any of its committees, if any, that resulted in such official action were taken in meetings open to the public, in full compliance with applicable legal requirements, including Indiana Code 5-14-1.5-7.

Section 4. This Ordinance shall be in full force and effect from and after its passage and signing by the Mayor.

Dated this \_\_\_\_ day of April, 1987.

  
\_\_\_\_\_  
COUNCILMAN

APPROVED AS TO FORM AND LEGALITY

BY:   
\_\_\_\_\_  
Bruce O. Boxberger, City Attorney  
Dated this 10th day of April, 1987



Read the first time in full and on motion by Eustark  
seconded by Delmo, and duly adopted, read the second time  
by title and referred to the Committee Finance (and the City  
Plan Commission for recommendation) and Public Hearing to be held after  
due legal notice, at the Council Chambers, City-County Building, Fort Wayne,  
Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_,  
19\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.

DATE: 4-14-87

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Eustark  
seconded by Stier, and duly adopted, placed on its  
passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	_____	_____	_____	_____
<u>BRADBURY</u>	<u>✓</u>	_____	_____	_____	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>✓</u>	_____	_____	_____	_____
<u>GIAQUINTA</u>	<u>✓</u>	_____	_____	_____	_____
<u>HENRY</u>	<u>✓</u>	_____	_____	_____	_____
<u>REDD</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	<u>✓</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 4-28-87

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort  
Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)  
(SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. D-75-87  
on the 28th day of April, 1987,

ATTEST:

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

(SEAL)  
Mark E. GiaQuinta  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana,  
on the 29th day of April, 1987,  
at the hour of 11:30 o'clock P.M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 1st day of May,  
1987, at the hour of 4:00 o'clock P.M., E.S.T.

Win Moses, Jr.  
WIN MOSES, JR., MAYOR

BILL NO. S-87-04-03

REPORT OF THE COMMITTEE ON FINANCE

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS  
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) AUTHORIZING THE CITY OF

FORT WAYNE TO ENTER INTO A SECOND SUPPLEMENTAL LOAN AGREEMENT

SUPPLEMENTING AND AMENDING A PRIOR LOAN AGREEMENT ENTERED INTO FOR

THE ISSUANCE OF \$475,000 ECONOMIC DEVELOPMENT FIRST MORTGAGE

REVENUE BONDS (CSC REALTY PROJECT)

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION AND BEG  
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)

(~~RESOLUTION~~)

YES

NO

BEN A. EISBART  
CHAIRMAN

JAMES S. STIER  
VICE CHAIRMAN

CHARLES B. REDD

DONALD J. SCHMIDT

SAMUEL J. TALARICO

CONCURRED IN 4-28-87

SANDRA E. KENNEDY  
CITY CLERK